



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ladd, et al.
SERIAL NO.: 10/787,253
FILED: February 26, 2004
FOR: **IMPROVED FROZEN DESSERT PRODUCT**

Commissioner for Patents
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RECORD OF SUBSTANCE OF INTERVIEW

On November 17, 2009, I, Thomas A. O'Rourke, and Patent Examiner, Kelly Bekker, discussed all of the pending claims in the above identified patent application over the telephone. In the Examiner's Interview Summary Form and attached Office Action, the Examiner described the authorized Examiner's amendment as being applied to claim 1. However, claim 1 was cancelled by the Applicant. The claim that the Examiner was referring to was actually claim 34. I authorized the Examiner's amendment as follows:

Claim 100 was canceled.

Claims 34, 51, 53, 58, 78, 80-87, 89, 91, 93, and 103 were amended as follows:

Claim 34. A frozen dessert product comprising a single phase pellet said single phase being a solid phase, said pellet consisting essentially of a premix comprising 6% to 7.5% sugar content, and 0.025% to about 0.075% artificial sweetener, said pellet resulting from said premix being introduced into a cryogen as a small individual volume of liquid, then completely freezing, said pellet remaining in a pellet form at a temperature

of from ~~about -25~~ -20°C to about -5°C without fusing to another pellet, and wherein the frozen dessert product does not contain air.

Claim 51. The frozen dessert product according to claim 34 wherein said single phase pellet remains frozen at a temperature of ~~about~~ -18°C to ~~about~~ -20°C.

Claim 53. The frozen dessert product according to claim 34 wherein said single phase pellet remains frozen at a temperature of ~~about~~ -15°C to ~~about~~ -18°C.

Claim 58. A method of forming a single phase dessert product, the method comprising the steps of:

introducing a premix into a body of liquid cryogen as a small individual volume of liquid to form a single phase pelletized dessert product wherein said pelletized dessert product does not contain air and consists of a premix without the presence of a bulking agent;

said small individual volume of liquid completely freezing after it is introduced to said body of liquid cryogen to form a solid phase pellet consisting essentially of premix;

said premix comprising an artificial sweetener in the amount of about 0.025% to about 0.075% of the premix; and

further wherein the single phase dessert product can be stored at a temperature of from ~~about -25~~ -20°C to about -5°C while remaining in a solid phase.

Claim 78. A pelletized dessert product produced by the method of claim 58, wherein said dessert product does not contain air and can be stored at a temperature of from about -5°C to ~~about -25~~ -20°C while maintaining a pelletized structure.

Claim 80. A frozen dessert product comprising a single phase pellet formed from a premix comprising from 3.6% to 7.2% sugar, said pellet resulting from said premix

being introduced into a cryogen, said pellet consisting essentially of ~~pre-mix~~ premix and remaining a single phase solid product at a temperature of from between about -15 and ~~about -25 -20~~ degrees Celsius without fusing to another pellet, and wherein the frozen dessert product does not contain air.

Claim 81. A frozen dessert product comprising a single phase pellet formed from a premix, said premix containing no bulking agents, said premix comprising from 7.5% to 8.5% total sucrose and sucrose equivalent content said pellet resulting from said premix being introduced into a cryogen, said pellet consisting essentially of ~~pre-mix~~ premix and remaining a single phase product at a temperature of ~~about -25 -20~~ degrees Celsius to about -5 degrees Celsius without fusing to another pellet, and wherein the frozen dessert product does not contain air.

Claim 82. A method of forming a frozen dessert product comprising introducing small individual volumes of liquid of a premix, containing no bulking agents, into a cryogen said ~~premixing~~ premix comprising from 7.5% to 8.5% total sucrose and sucrose equivalent content, said premix forming said frozen dessert product in a single phase pellet in said cryogen, said pellet consisting essentially of ~~pre-mix~~ premix, said pellet remaining a single phase product at a temperature from ~~about -25 -20~~ degrees Celsius to about -5 degrees Celsius, and wherein the frozen dessert product does not contain air.

Claim 83. A method of forming a single phase dessert product, the method comprising the steps of:

Introducing a premix into a body of liquid cryogen to form a single phase pelletized dessert product, said premix containing no bulking agent;

Said premix comprising an artificial sweetener in the amount of about 0.025% to about 0.075% of the premix and between 3.6% and 7.2% total sucrose and sucrose equivalent content; and

Further, wherein the single phase dessert product consisting essentially of ~~pre-mix~~ premix can be stored at a temperature of from ~~about -25~~ -20 degrees Celsius to about -5 degrees Celsius, and wherein the single phase dessert product does not contain air.

Claim 84. A frozen dessert product comprising a single phase pellet consisting essentially of a ~~pre-mix~~ premix, said premix containing no bulking agent, said premix comprising from 1.2% to 3.6% total sucrose and sucrose equivalent content, said pellet resulting from said premix being introduced into a cryogen, said pellet remaining a single phase solid product [[a]] at a temperature of from between ~~about -25~~ -20 and about -15 degrees Celsius without fusing to another pellet, and wherein the frozen dessert product does not contain air.

Claim 85. A frozen dessert product comprising a single phase pellet consisting essentially of a ~~pre-mix~~ premix, said premix containing no bulking agent, said premix comprising from 0% to 1.2% total sucrose content, said pellet resulting from said premix being introduced into a cryogen, said pellet remaining a single phase solid product [[a]] at a temperature of ~~from~~ from between ~~about~~ -20 and about -15 degrees Celsius without fusing to another pellet, and wherein the frozen dessert product does not contain air.

Claim 86. A frozen dessert product comprising a single phase pellet consisting of essentially of a premix, said pellet being formed by introducing said premix into a cryogen as a small individual volume~~[[s]]~~ of liquid, said cryogen freezing said ~~premise~~ premix to ~~forma~~ form a single phase pellet, said pellet remaining in a solid phase at a

temperature of from ~~-25~~ -20°C to -5°C without fusing to an adjacent pellet stored there with, and wherein the frozen dessert product does not contain air.

Claim 87. The frozen product according to claim 86 wherein the product can be stored at a temperature of ~~-25°C to~~ -20°C without agglomerating with adjacent pellets.

Claim 89. The frozen dessert product according[[ly]] to claim 86 wherein the storing and serving temperatures of the pellets is at a temperature range of -20 degrees Celsius and warmer ~~similar to bulk ice cream products.~~

Claim 91. The frozen dessert product according to claim 86 wherein said pellet ~~has a melting point between approximately -25°C and above -15°C~~ is solid between -20°C and about -15°C.

Claim 93. The ~~Frozen~~ frozen dessert product according to claim 86 wherein said pellet product can be stored in a conventional commercial freezer at a temperature range of -20°C and warmer ~~utilized for bulk frozen dessert products~~ while maintaining a pelletized structure.

Claim 103. The frozen dessert product according to claim 81 wherein said pellet consist[[ing]]s essentially of ~~pre-mix~~ premix and remain[[ing]]s a single phase product at a temperature of up to -5 degrees Celsius without fusing to another pellet.